

The Office Action states on page 3 that variations in the distance of approximately a length of a jack would have been obvious minor adjustments without patentable significance and cites In re Aller, 105 USPQ 233 (CCPA 1955) for the proposition that where general conditions of the claim are disclosed in the prior art, it is not inventive to discover optimal or workable ranges by routine experimentation. Applicants respectfully disagree with the position stated in the Office Action and the application of In re Aller to the inventions of claims 48 and 55.

In the telecommunications industry, there is always a compromise between high density and reduction of crosstalk. For designers and manufacturer of jack-related technologies, reduction of crosstalk between jacks is, undoubtedly, an important objective. However, most companies in the industry, as evidenced by the disclosure of the prior art references, have sacrificed crosstalk reduction in favor of dense jack solutions or have tried to come up with crosstalk reduction solutions that preserve density. Until the Applicants' invention, there has not been a single reference of record, including Meckley and Fair, that has utilized a configuration wherein adjacent jacks are offset horizontally approximately an entire length of a jack. Due to density concerns, there is no motivation or suggestion in the art to increase the offset distances between the adjacent jacks of Meckley or Fair. Any motivation to do so would be impermissible hindsight provided by the Applicants' invention of claims 48 and 55.

Secondly, regarding In re Aller, that case stands for the proposition that it may not involve an inventive step for one of ordinary skill in the art to arrive at an optimal range through routine experimentation. However, this proposition assumes that one of ordinary skill in the art is trying to arrive at an optimal range for a single variable without affecting a second variable. This is certainly not the case in the configuration of telecommunications jack assemblies. One of ordinary skill in the art would have had no motivation to experiment to try to maximize the offset distances for reduction of crosstalk knowing that the results would be less-than optimal for density purposes.

For at least the reasons stated above, independent claim 48 and dependent claims 49-54 that depend from independent claim 48 and independent claim 55 and dependent claims 56-60 that depend from independent claim 55 are patentable over Meckley in view of Fair.

Regarding independent claim 61, claim 61 recites, among other things, a plurality of jacks forming subsets of adjacent jack pairs wherein the jacks of each adjacent jack pair are

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offset relative to each other in two directions, wherein they are offset at least a distance of approximately a length of a jack in both of the directions.

As discussed above with respect to independent claims 48 and 55, neither Meckley nor Fair, either by itself or in a reasonable combination with one another, teaches or suggests adjacent jack pairs wherein the jacks of each adjacent jack pair are offset relative to each other in two directions and offset at least a distance of approximately a length of a jack in both of the directions, as featured in claim 61. Moreover, as also discussed above, one of ordinary skill in the art would have had no motivation to modify the combination of Meckley and Fair to arrive at Applicants' invention of claim 61.

For at least the reasons stated above, independent claim 61 and dependent claims 62-67 that depend from independent claim 61 are patentable over Meckley in view of Fair.

The Applicant respectfully requests the withdrawal of this rejection.

The Examiner is urged to contact the undersigned attorney at 612.336.4617 with any questions or concerns.

Respectfully submitted,

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